

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

THOMAS F. LENNON,

Plaintiff,

v.

EVAN MEAD STONE,

Defendant.

No. C 04-04601 WHA

**FURTHER REQUEST FOR
BRIEFING**

On further reflection, the Court is concerned over the bar-order feature of the proposed settlement. Authorities allowing the Court to approve such a settlement must be provided in advance of the next hearing. The concern is this: if Mr. Stone was a knowing part of securities fraud, each victim would have a direct right of action against him, irrespective of his role as a lawyer to the fund. By what specific authorities does the Court have the right to bar victims of the fraud from suing him on this theory? Please address before the next hearing.

IT IS SO ORDERED.

Dated: December 6, 2006



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE